

REMARKS

The non-elected claims have been canceled without prejudice and to the right to file an appropriate continuing application directed thereto.

The claims in this application were rejected under 35 U.S.C. 103 over the combination of Nebe, Ogiso and Hayashi. This rejection is respectfully traversed.

The Office Action takes the position that the Nebe reference discloses the claimed composition with the exception of an explicitly disclosed example having the molecular weight for the dispersant recited in claim 1. While this observation is correct, it also overlooks the explicit teaching in this reference that the moiety in the dispersant Q which is a polymeric or copolymeric segment has a molecular weight of at least 6,000 (see column 7, line 49). The working examples of the instant application show that where the polycarboxylic acid-based dispersing agent had a molecular weight of about 1,500 or less, the pattern residue was 1% but where the molecular weight was 1,600 and 1,900 the pattern residue ratios were 88% and 90%, respectfully. Nothing in Nebe teaches or suggests using a lower molecular weight dispersing agent or the superior results achieved as a result thereof.

The Ogiso reference does not cure any of the deficiencies in Nebe. As the Office Action points, there is no teaching nor suggestion about the molecular weight of the dispersant in this reference.

The Hayashi reference also does not cure any of the deficiencies in Nebe (or its combination with Ogiso). As the Office Action acknowledges, this reference does not relate to a photosensitive composition. It is being relied on for showing that a polymaleic acid copolymer with the trade name of Flowlen G700 exists. The implication is that due to the trademark, the molecular weight must be suitably low.

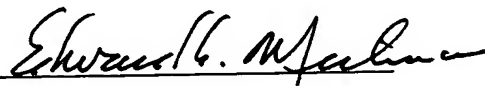
Even if this assumption were correct, there is no teaching or suggestion in Hayashi of using the Flowlen G700 in a photosensitive resin composition. The assertion is made in the Office Action that it would be obvious to substitute one known dispersing agent for another but there is nothing in the record to show that selecting a dispersing agent from one reference and using it in a different application is appropriate. The present application acknowledges that dispersing agents with a variety of molecular weights exist but then shows that the molecular weight is significant. The only motivation to select a particular dispersing agent from Hayashi is to meet the recitations of the instant claims and to do so requires a resort to hindsight. That, of course, is improper. Moreover, there is no teaching or suggestion that the use of the low molecular weight dispersant will provide the surprising and unexpected results demonstrated in the working examples of this application.

For all of the foregoing reasons, it is respectfully submitted that the prior rejection should be withdrawn.

The early issuance of a Notice of Allowance is respectfully solicited.

Respectfully submitted,

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By 

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